

FOSS DECLARATION EXHIBIT 1

**U.S. District Court
District of New Jersey [LIVE] (Trenton)
CIVIL DOCKET FOR CASE #: 3:17-cv-01852-MAS-TJB**

NEWMARKET PHARMACEUTICALS, LLC v. VETPHARM,
INC. et al
Assigned to: Judge Michael A. Shipp
Referred to: Magistrate Judge Tonianne J. Bongiovanni
Cause: 28:1331 Fed. Question: Breach of Contract

Date Filed: 03/21/2017
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

Plaintiff

**NEWMARKET PHARMACEUTICALS,
LLC**
*A DELAWARE LIMITED LIABILITY
COMPANY*

represented by **JOEL A PISANO**
WALSH PIZZI O'REILLY FALANGA LLP
ONE RIVERFRONT PLAZA
1037 RAYMOND BLVD
6TH FLOOR
NEWARK, NJ 07102
973-757-1100
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

SELINA MIRIAM ELLIS
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973 436 5800
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Email: bcouch@connellfoley.com
TERMINATED: 11/07/2017
ATTORNEY TO BE NOTICED

V.

Defendant

VETPHARM, INC.
A NEW YORK CORPORATION

represented by **DANIEL CASE GIBBONS**
NIXON PEABODY LLP

50 JERICHO QUADRANGLE
 JERICHO, NY 11753
 516-832-7500
 Email: dgibbons@nixonpeabody.com
TERMINATED: 10/29/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

KELLY JONES HOWELL
 HARRIS BEACH PLLC
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 NEW YORK, NY 10005
 212-912-3652
 Fax: 212-687-0659
 Email: khowell@harrisbeach.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DENNI O. DAY
AN INDIVIDUAL

represented by **DANIEL CASE GIBBONS**
 (See above for address)
TERMINATED: 10/29/2018
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

KELLY JONES HOWELL
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

PRELUDE DYNAMICS, LLC
A TEXAS LIMITED LIABILITY COMPANY

Date Filed	#	Docket Text
03/21/2017	<u>1</u>	COMPLAINT against DENNI O. DAY, PRELUDE DYNAMICS, LLC, VETPHARM, INC. (Filing and Admin fee \$ 400 receipt number 0312-7720841), filed by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # <u>1</u> Civil Cover Sheet) (COUCH, BRYAN) (Entered: 03/21/2017)
03/21/2017	<u>2</u>	Corporate Disclosure Statement by NEWMARKET PHARMACEUTICALS, LLC identifying NONE as Corporate Parent.. (COUCH, BRYAN) (Entered: 03/21/2017)
03/21/2017	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice <i>NOTICE OF MOTION FOR AN ORDER ADMITTING JOHN T. MOEHRINGER PRO HAC VICE</i> by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # <u>1</u> Application and Certification of Bryan P. Couch in Support, # <u>2</u> Certification, # <u>3</u> Proposed Order Admitting PHV - JTM) (COUCH, BRYAN) (Entered: 03/21/2017)
03/21/2017	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice <i>NOTICE OF MOTION FOR AN ORDER ADMITTING ROBERT M. POLLARO PRO HAC VICE</i> by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # <u>1</u> Application and Certification of Bryan

		P. Couch in Support of the Pro Hac Vice Admission of RMP, # 2 Certification, # 3 Proposed Order Admitting Pro Hac Vice Robert M. Pollaro)(COUCH, BRYAN) (Entered: 03/21/2017)
03/21/2017		Judge Michael A. Shipp and Magistrate Judge Tonianne J. Bongiovanni added. (jjc) (Entered: 03/21/2017)
03/21/2017	5	MOTION to Seal by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Declaration, # 2 Brief, # 3 Order Granting Motion to Seal, # 4 Proposed Findings of Fact and Conclusion of Law)(COUCH, BRYAN) (Entered: 03/21/2017)
03/22/2017		Set Deadlines as to 3 MOTION for Leave to Appear Pro Hac Vice <i>NOTICE OF MOTION FOR AN ORDER ADMITTING JOHN T. MOEHRINGER PRO HAC VICE</i> . Motion set for 4/17/2017 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (jem) (Entered: 03/22/2017)
03/22/2017		Set Deadlines as to 4 MOTION for Leave to Appear Pro Hac Vice <i>NOTICE OF MOTION FOR AN ORDER ADMITTING ROBERT M. POLLARO PRO HAC VICE</i> . Motion set for 4/17/2017 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (jem) (Entered: 03/22/2017)
03/22/2017	6	SUMMONS ISSUED as to DENNI O. DAY, PRELUDE DYNAMICS, LLC, VETPHARM, INC. Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. Issued By *JAWELA CAMPBELL* (seb) (Entered: 03/22/2017)
03/22/2017		Set Deadlines as to 5 MOTION to Seal . Motion set for 4/17/2017 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (seb) (Entered: 03/22/2017)
03/22/2017	7	Motion/Application for an Order to Show Cause and Temporary Restraining Order by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Declaration of Bryan P. Couch, # 2 Exhibit A to Declaration, # 3 Exhibit B to Declaration, # 4 Exhibit C to Declaration, # 5 Exhibit D to Declaration, # 6 Exhibit E to Declaration, # 7 Exhibit F to Declaration, # 8 Exhibit G to Declaration, # 9 Text of Proposed Order to Show Cause, # 10 Text of Proposed Order for TRO, # 11 Certification of Bryan P. Couch)(jjc) (Entered: 03/22/2017)
03/22/2017	8	MEMORANDUM of Law in Support filed by NEWMARKET PHARMACEUTICALS, LLC re 7 MOTION/Application for an Order to Show Cause and Temporary Restraining Order (jjc) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/22/2017)
03/22/2017	9	DECLARATION of Mark Ridall re 8 Memorandum in Support of Motion,, by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Exhibit 4 to Declaration)(jjc) (Entered: 03/22/2017)

03/22/2017	10	Exhibit to 9 Declaration by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Exhibit 2, # 2 Exhibit 3)(jjc) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/22/2017)
03/22/2017	11	MOTION to Seal by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Brief in Support, # 2 Proposed Findings of Fact and Conclusions of Law, # 3 Declaration of Bryan P. Couch, # 4 Exhibit A to Declaration, # 5 Exhibit B to Declaration, # 6 Exhibit C to Declaration, # 7 Exhibit D to Declaration, # 8 Text of Proposed Order, # 9 Certificate of Service)(jjc) (Entered: 03/22/2017)
03/22/2017		Set Deadlines as to 11 MOTION to Seal. Motion set for 4/17/2017 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (jjc) (Entered: 03/22/2017)
03/22/2017	12	ORDER scheduling a hearing for the 7 MOTION for Temporary Restraining Order for 3/31/2017 11:00 AM before Judge Michael A. Shipp. Defendants' response due 3/27/2017. Plaintiff's Reply due 3/29/2017. Signed by Judge Michael A. Shipp on 3/22/2017. (km) (Entered: 03/22/2017)
03/22/2017	13	Minute Entry for proceedings held before Judge Michael A. Shipp: Hearing on Application for TRO, # 7 , held on 3/22/2017. Hearing on Plaintiff's TRO Application set for March 31, 2017 at 11:00 AM. Defendants VetPharm, Inc. and Denni O. Day shall file a response by March 27, 2017. Plaintiff shall file its reply brief by March 29, 2017. Order to issue. (Court Reporter: CATHY FORD.) (gxh) (Entered: 03/23/2017)
03/27/2017	14	MOTION for Leave to Appear Pro Hac Vice <i>for Christopher D. Thomas</i> by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Certification Daniel C. Gibbons, # 2 Certification Christopher D. Thomas, # 3 Text of Proposed Order)(GIBBONS, DANIEL) (Entered: 03/27/2017)
03/27/2017	15	Corporate Disclosure Statement by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 03/27/2017)
03/27/2017		Set Deadlines as to 14 MOTION for Leave to Appear Pro Hac Vice <i>for Christopher D. Thomas</i> . Motion set for 5/1/2017 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 03/27/2017)
03/27/2017	16	MOTION to Compel <i>Arbitration and Stay Action</i> by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Affidavit Denni O. Day, # 2 Exhibit Exhibit A to Day Affidavit, # 3 Brief, # 4 Text of Proposed Order)(GIBBONS, DANIEL) (Entered: 03/27/2017)
03/27/2017	17	NOTICE by DENNI O. DAY, VETPHARM, INC. re 16 MOTION to Compel <i>Arbitration and Stay Action</i> Certificate of Service (GIBBONS, DANIEL) (Entered: 03/27/2017)
03/28/2017		Set Deadlines as to 16 MOTION to Compel <i>Arbitration and Stay Action</i> . Motion set for 5/1/2017 before Judge Michael A. Shipp. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 03/28/2017)

03/29/2017	<u>18</u>	REPLY BRIEF to Opposition to Motion filed by NEWMARKET PHARMACEUTICALS, LLC re <u>7</u> MOTION for Temporary Restraining Order (Attachments: # <u>1</u> Declaration of Bryan P. Couch, Esq. w/ Exhibit, # <u>2</u> Declaration of Mark Ridall, # <u>3</u> Exhibit A-H to Ridall Declaration)(COUCH, BRYAN) <u>NOTICE TO COUNSEL</u> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 03/29/2017)
03/30/2017	<u>19</u>	Letter from Christopher Thomas re <u>18</u> Reply Brief to Opposition to Motion,, (Attachments: # <u>1</u> Supplement)(GIBBONS, DANIEL) (Entered: 03/30/2017)
03/31/2017	<u>20</u>	Minute Entry for proceedings held before Judge Michael A. Shipp: Hearing on Application for an Order to Show Cause with Temporary Restraints and a Preliminary Injunction, # <u>7</u> , filed by Plaintiff held on 3/31/2017. Ordered decision reserved. (Court Reporter: CATHY FORD.) (gxh) (Entered: 03/31/2017)
04/05/2017	<u>21</u>	MEMORANDUM OPINION filed. Signed by Judge Michael A. Shipp on 4/5/2017. (km) (Entered: 04/05/2017)
04/05/2017	<u>22</u>	ORDER denying <u>7</u> Motion for TRO; Granting <u>16</u> Motion to Compel Arbitration and Stay Action, the Court's Memorandum Opinion shall be filed under temporary seal pending the resolution of Plaintiff's <u>11</u> Motion to Seal. Signed by Judge Michael A. Shipp on 4/5/2017. (km) Modified on 4/10/2017 (eaj,). (Entered: 04/05/2017)
04/28/2017	<u>23</u>	ORDER granting <u>3</u> Motion for Leave to Appear Pro Hac Vice as to John T. Moehringer, Esq. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/28/2017. (mmh) (Entered: 04/28/2017)
04/28/2017	<u>24</u>	ORDER granting <u>4</u> Motion for Leave to Appear Pro Hac Vice as to Robert M. Pollaro, Esq. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/28/2017. (mmh) (Entered: 04/28/2017)
04/28/2017	<u>25</u>	ORDER granting <u>5</u> Motion to Seal. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/28/2017. (mmh) (Entered: 04/28/2017)
04/28/2017	<u>26</u>	ORDER granting <u>11</u> Motion to Seal. To the extent they have not already been filed, redacted versions of the sealed information shall be filed within 20 days of the date of entry of this Order. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/28/2017. (mmh) (Entered: 04/28/2017)
04/28/2017	<u>27</u>	ORDER granting <u>14</u> Motion for Leave to Appear Pro Hac Vice as to Christopher D. Thomas, Esq. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/28/2017. (mmh) (Entered: 04/28/2017)
04/29/2017	<u>28</u>	Transcript of Order to Show Cause with Temporary Restraints and Preliminary Injunction held on 3/22/2017, before Judge Michael A. Shipp. Court Reporter - Cathy Ford (609-367-2777). NOTICE REGARDING (1) REDACTION OF PERSONAL IDENTIFIERS IN TRANSCRIPTS AND (2) MOTION TO REDACT AND SEAL: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript to comply with Fed.R.Civ.P.5.2(a) (personal identifiers). Parties seeking to redact and seal this Transcript, or portions thereof, pursuant to L.Civ.R. 5.3(g) must e-file a Motion to Redact and Seal utilizing the event 'Redact and Seal Transcript/Digital Recording'. Redaction Request to Court Reporter due, but not filed, by 5/22/2017. Redacted Transcript Deadline set for 5/30/2017. Release of Transcript Restriction set for 7/28/2017. (kas) (Entered: 05/02/2017)

04/29/2017	29	Transcript of Order To Show Cause With Temporary Restraints/ Preliminary Injunction held on 3/31/2017, before Judge Michael A. Shipp. Court Reporter - Cathy Ford (609-367-2777). NOTICE REGARDING (1) REDACTION OF PERSONAL IDENTIFIERS IN TRANSCRIPTS AND (2) MOTION TO REDACT AND SEAL: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this Transcript to comply with Fed.R.Civ.P.5.2(a) (personal identifiers). Parties seeking to redact and seal this Transcript, or portions thereof, pursuant to L.Civ.R. 5.3(g) must e-file a Motion to Redact and Seal utilizing the event 'Redact and Seal Transcript/Digital Recording'. Redaction Request to Court Reporter due, but not filed, by 5/22/2017. Redacted Transcript Deadline set for 5/30/2017. Release of Transcript Restriction set for 7/28/2017. (kas,) (Entered: 05/02/2017)
05/09/2017		Pro Hac Vice fee of \$ 300.00 received as to Robert M. Pollaro and John T. Moehringer, receipt number TRE080240 (km) (Entered: 05/11/2017)
11/07/2017	30	Substitution of Attorney - Attorney BRYAN PAUL COUCH terminated. Attorney JOEL A PISANO for NEWMARKET PHARMACEUTICALS, LLC added.. (PISANO, JOEL) (Entered: 11/07/2017)
11/07/2017	31	Letter from Joel A. Pisano to the Hon. Michael A. Shipp, U.S.D.J. and to the Hon. Tonianne J. Bongiovanni, U.S.M.J. requesting that the Court reactivate the case and set a scheduling conference. (PISANO, JOEL) (Entered: 11/07/2017)
11/07/2017	32	NOTICE of Appearance by SELINA MIRIAM ELLIS on behalf of NEWMARKET PHARMACEUTICALS, LLC (ELLIS, SELINA) (Entered: 11/07/2017)
11/09/2017	33	Letter from Daniel C. Gibbons re 31 Letter. (Attachments: # 1 Exhibit A)(GIBBONS, DANIEL) (Entered: 11/09/2017)
11/09/2017	34	Letter from Joel A. Pisano to the Honorable Michael A. Shipp, U.S.D.J. and the Honorable Tonianne J. Bongiovanni, U.S.M.J. re 33 Letter. (PISANO, JOEL) (Entered: 11/09/2017)
11/09/2017	35	TEXT ORDER: In consideration of counsel's correspondence (ECF No. 31), the Court hereby lifts the stay of this matter. The Parties are instructed to contact Magistrate Judge Bongiovanni's Chambers within seven days of this Text Order regarding the request to schedule a conference. So Ordered by Judge Michael A. Shipp on 11/9/2017. (gxh) (Entered: 11/09/2017)
11/09/2017	36	Letter from Daniel C. Gibbons re 34 Letter. (Attachments: # 1 Exhibit A)(GIBBONS, DANIEL) (Entered: 11/09/2017)
11/21/2017	37	Letter from Joel A. Pisano to the Honorable Tonianne J. Bongiovanni, U.S.M.J. (PISANO, JOEL) (Entered: 11/21/2017)
11/22/2017	38	Letter from Daniel C. Gibbons re 37 Letter. (GIBBONS, DANIEL) (Entered: 11/22/2017)
11/27/2017	39	MOTION for Order to Show Cause <i>and Temporary Restraining Order</i> by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Text of Proposed Order, # 2 Certificate of Service)(PISANO, JOEL) (Entered: 11/27/2017)
11/27/2017	40	MEMORANDUM in Support filed by NEWMARKET PHARMACEUTICALS, LLC re 39 MOTION for Order to Show Cause <i>and Temporary Restraining Order (Confidential Version)</i> (PISANO, JOEL)
		NOTICE TO COUNSEL: Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials

		sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 11/27/2017)
11/27/2017	41	DECLARATION of Robert M. Pollaro re 39 MOTION for Order to Show Cause <i>and Temporary Restraining Order and Exhibits A-O</i> by NEWMARKET PHARMACEUTICALS, LLC. (PISANO, JOEL) <u>NOTICE TO COUNSEL</u> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 11/27/2017)
11/27/2017	42	DECLARATION of Mark Ridall re 39 MOTION for Order to Show Cause <i>and Temporary Restraining Order and Exhibits A-D</i> by NEWMARKET PHARMACEUTICALS, LLC. (PISANO, JOEL) <u>NOTICE TO COUNSEL</u> : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 11/27/2017)
11/28/2017		Set Deadlines as to 39 MOTION for Order to Show Cause <i>and Temporary Restraining Order</i> . Motion set for 1/2/2018 before Judge Michael A. Shipp. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 11/28/2017)
11/28/2017	43	TEXT ORDER: A settlement conference is hereby scheduled to take place on 12/8/2017 at 10:30 a.m. Counsel must appear in person at the conference. Clients must be reachable by telephone. <i>Ex parte</i> confidential settlement memoranda are NOT required. However, should a party choose to submit same, it must do so no later than 12/5/2017 and the memorandum should not exceed 5 pages in length. So Ordered by Magistrate Judge Tonianne J. Bongiovanni on 11/28/2017. (mm) (Entered: 11/28/2017)
11/28/2017	44	REDACTION to 40 Memorandum in Support of Motion,, by NEWMARKET PHARMACEUTICALS, LLC. (PISANO, JOEL) (Entered: 11/28/2017)
11/28/2017	45	REDACTION to 41 Declaration,, of Robert M. Pollaro and Exhibits A-O by NEWMARKET PHARMACEUTICALS, LLC. (PISANO, JOEL) (Entered: 11/28/2017)
11/28/2017	46	REDACTION to 42 Declaration,, of Mark Ridall and Exhibits A-D by NEWMARKET PHARMACEUTICALS, LLC. (PISANO, JOEL) (Entered: 11/28/2017)
11/29/2017	47	TEXT ORDER setting a Telephone Conference for 11/29/2017 at 12:00 PM before Judge Michael A. Shipp. Counsel for Plaintiff shall initiate the call. So Ordered by Judge Michael A. Shipp on 11/29/2017. (gxh) (Entered: 11/29/2017)
11/29/2017	48	Minute Entry for proceedings held before Judge Michael A. Shipp: Telephone Conference held on 11/29/2017. Counsel advised that the Court will enter a briefing schedule, if necessary, after the parties' conference with Magistrate Judge Tonianne J. Bongiovanni. (Court Reporter: CATHY FORD.) (gxh) (Entered: 11/30/2017)
12/05/2017	49	MOTION for Leave to Appear Pro Hac Vice for Meghan K. McGuire by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Declaration of Daniel C. Gibbons, # 2 Declaration of Meghan K. McGuire, # 3 Text of Proposed Order)(GIBBONS, DANIEL) (Entered: 12/05/2017)
12/05/2017	50	MOTION for Leave to Appear Pro Hac Vice for Richard A. McGuirk by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Declaration of Daniel C. Gibbons in

		Support of Pro Hac Vice Admission of Richard A. McGuirk, # 2 Declaration in Support of Pro Hac Vice Admission)(GIBBONS, DANIEL) (Entered: 12/05/2017)
12/06/2017		CLERK'S QUALITY CONTROL MESSAGE - The Declaration of Meghan K. McGuire d.e. 49 attachment 2 and the Declaration of Richard A. McGuirk d.e. 50 attachment 2 submitted by Daniel Gibbons on 12/5/2017 contains an improper signature. Only Registered Users are permitted to sign electronically filed documents with an s/. PLEASE RESUBMIT THE DOCUMENT WITH A PROPER SIGNATURE. This submission will remain on the docket unless otherwise ordered by the court. (km) (Entered: 12/06/2017)
12/06/2017		Set Deadlines as to 49 MOTION for Leave to Appear Pro Hac Vice <i>for Meghan K. McGuire</i> , 50 MOTION for Leave to Appear Pro Hac Vice <i>for Richard A. McGuirk</i> . Motion set for 12/5/2017 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 12/06/2017)
12/06/2017	51	DECLARATION of Richard A. McGuirk re 50 MOTION for Leave to Appear Pro Hac Vice <i>for Richard A. McGuirk (corrected signature)</i> by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 12/06/2017)
12/06/2017	52	DECLARATION of Meghan K. McGuire re 49 MOTION for Leave to Appear Pro Hac Vice <i>for Meghan K. McGuire (corrected signature)</i> by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 12/06/2017)
12/06/2017	53	ORDER granting 49 Motion for Leave to Appear Pro Hac Vice as to Meghan K. McGuire and granting 50 Motion for Leave to Appear Pro Hac Vice as to Richard A. McGuirk. Signed by Magistrate Judge Tonianne J. Bongiovanni on 12/6/2017. (km) (Entered: 12/06/2017)
12/08/2017		Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Settlement Conference held on 12/8/2017. The parties shall submit a joint proposed case management plan to the Court electronically in Word format to tjb_orders@njd.uscourts.gov no later than 12/15/2017. (mm) (Entered: 12/11/2017)
12/12/2017	54	TEXT ORDER: The following briefing schedule shall apply to: (i) Plaintiffs' Motion for an Order to Show Cause and Temporary Restraining Order (ECF No. 39); and (ii) Defendant(s)' anticipated cross-motion to dismiss: December 18, 2017: deadline for Defendant(s) to file opposition to Plaintiffs motion and for Defendant(s) to file a cross-motion to dismiss; December 26, 2017: deadline for Plaintiff to file a reply in support of its motion and to oppose Defendant(s)' cross-motion; January 3, 2018: Deadline for Defendant(s) to file a reply in support of its cross-motion. So Ordered by Judge Michael A. Shipp on 12/12/2017. (gxh) Modified on 12/12/2017 (gxh). (Entered: 12/12/2017)
12/12/2017	55	Notice of Request by Pro Hac Vice Robert M. Pollaro to receive Notices of Electronic Filings. (PISANO, JOEL) (Entered: 12/12/2017)
12/12/2017	56	Notice of Request by Pro Hac Vice John T. Moehringer to receive Notices of Electronic Filings. (PISANO, JOEL) (Entered: 12/12/2017)
12/12/2017		Pro Hac Vice fee of \$300 received as Meghan K. McGuire, Esq. and Richard A. McGuirk, Esq., receipt number TRE086924 (mps) (Entered: 12/12/2017)
12/12/2017	57	Notice of Request by Pro Hac Vice Meghan K. McGuire to receive Notices of Electronic Filings. (GIBBONS, DANIEL) (Entered: 12/12/2017)
12/12/2017	58	Notice of Request by Pro Hac Vice Richard A. McGuirk to receive Notices of Electronic Filings. (GIBBONS, DANIEL) (Entered: 12/12/2017)

12/13/2017		Pro Hac Vice counsel, MEGHAN MCGUIRE and RICHARD A. MCGUIRK, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (km) (Entered: 12/13/2017)
12/13/2017		Pro Hac Vice counsel, JOHN T. MOEHRINGER and ROBERT M. POLLARO, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (km) (Entered: 12/13/2017)
12/18/2017	59	Second MOTION for Temporary Restraining Order <i>and Prelim Injunction and in Support of Defendants' Cross Motion to Dismiss the Notice of Cross-Motion to Compel Arbitration and Stay Action</i> by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 12/18/2017)
12/18/2017	60	Cross MOTION to Dismiss by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 12/18/2017)
12/18/2017	61	MEMORANDUM in Support filed by DENNI O. DAY, VETPHARM, INC. re 60 Cross MOTION to Dismiss , 39 MOTION for Order to Show Cause <i>and Temporary Restraining Order</i> *** Memorandum in SUPPORT of 60 Defendants' Cross-motion to Dismiss and in OPPOSITION to 39 Motion for TRO and Preliminary Injunction (GIBBONS, DANIEL) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 12/18/2017)
12/18/2017	62	AFFIDAVIT in Support filed by DENNI O. DAY, VETPHARM, INC. re 39 MOTION for Order to Show Cause <i>and Temporary Restraining Order</i> , 60 Cross MOTION to Dismiss *** <i>DECLARATION OF MEGHAN K. McGUIRE in SUPPORT of 60 Defendants' Cross-motion to Dismiss and in OPPOSITION to 39 Motion for TRO and Preliminary Injunction</i> (Attachments: # 1 Exhibit A to McGuire Declaration, # 2 Exhibit B to McGuire Declaration, # 3 Exhibit C to McGuire Declaration, # 4 Exhibit D to McGuire Declaration, # 5 Exhibit E to McGuire Declaration, # 6 Exhibit F to McGuire Declaration, # 7 Exhibit G to McGuire Declaration, # 8 Exhibit H to McGuire Declaration)(GIBBONS, DANIEL) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 12/18/2017)
12/18/2017	63	AFFIDAVIT in Support filed by DENNI O. DAY, VETPHARM, INC. re 60 Cross MOTION to Dismiss , 39 MOTION for Order to Show Cause <i>and Temporary Restraining Order</i> *** <i>DECLARATION OF DENNI O. DAY in SUPPORT of 60 Defendants' Cross-motion to Dismiss and in OPPOSITION to 39 Motion for TRO and Preliminary Injunction</i> (GIBBONS, DANIEL) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 12/18/2017)
12/18/2017		Set Deadlines as to 59 Second MOTION for Temporary Restraining Order <i>and Prelim Injunction and in Support of Defendants' Cross Motion to Dismiss the Notice of Cross-</i>

		<i>Motion to Compel Arbitration and Stay Action</i> and 60 Cross MOTION to Dismiss . Cross Motions set for 1/2/2018 before Judge Michael A. Shipp. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 12/18/2017)
12/19/2017		CLERK'S QUALITY CONTROL MESSAGE - The 59 Notice of Motion submitted by Daniel Gibbons on 12/18/2017 was filed incorrectly as a Motion for Temporary Restraining Order and is a duplicate of document 60 . The Clerk's Office has terminated the calendar event created by this filing. This message is for informational purposes only. (mps) (Entered: 12/19/2017)
12/19/2017	64	Exhibit to 60 Motion to Dismiss, 63 Affidavit in Support of Motion,,, 61 Memorandum in Support of Motion,,, 62 Affidavit in Support of Motion,,, by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Certificate of Service ; Proposed Order granting Defendants' Cross Motion to Dismiss)(GIBBONS, DANIEL) (Entered: 12/19/2017)
12/21/2017	65	LETTER ORDER that the schedule set forth in Attachment A to the parties' Joint Discovery Plan shall govern this matter. Signed by Magistrate Judge Tonianne J. Bongiovanni on 12/21/2017. (km) (Entered: 12/22/2017)
12/26/2017	66	BRIEF in Opposition filed by NEWMARKET PHARMACEUTICALS, LLC re 60 Cross MOTION to Dismiss <i>and in Further Support of NewMarket's Motion for Temporary Restraining Order and Preliminary Injunction (Confidential)</i> (Attachments: # 1 Declaration of Robert M. Pollaro and Exs. A-F, # 2 Declaration of Mark Ridall, # 3 Certificate of Service)(PISANO, JOEL) <u>NOTICE TO COUNSEL:</u> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 12/26/2017)
12/27/2017	67	REDACTION to 66 Brief in Opposition to Motion,,, <i>and in Further Support of NewMarket's Motion for Temporary Restraining Order and Preliminary Injunction</i> by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Declaration of Robert M. Pollaro with Exs. A-F (Redacted), # 2 Declaration of Mark Ridall (Redacted)) (PISANO, JOEL) (Entered: 12/27/2017)
01/03/2018	68	REPLY to Response to Motion filed by DENNI O. DAY, VETPHARM, INC. re 60 Cross MOTION to Dismiss (Attachments: # 1 Certificate of Service)(GIBBONS, DANIEL) <u>NOTICE TO COUNSEL:</u> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 01/03/2018)
01/17/2018	69	REDACTION to 61 Memorandum in Support of Motion,,, <i>Memorandum in Support of Defendants' Cross-motion to Dismiss and in Opposition to Motion for TRO and Preliminary Injunction</i> by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 01/17/2018)
01/17/2018	70	REDACTION to 62 Affidavit in Support of Motion,,, <i>Declaration of Meghan K. McGuire with Exhibits A-H (Redacted) in Support of Defendants' Cross-motion to Dismiss and in Opposition to Motion for TRO and Preliminary Injunction</i> by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 01/17/2018)
01/17/2018	71	REDACTION to 63 Affidavit in Support of Motion,,, <i>Declaration of Denni O. Day in Support of Defendants' Cross-motion to Dismiss and in Opposition to Motion for TRO</i>

		<i>and Preliminary Injunction</i> by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 01/17/2018)
01/17/2018	72	REDACTION to 68 Reply to Response to Motion,, <i>regarding Cross-motion to Dismiss</i> by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 01/17/2018)
01/17/2018	73	TEXT ORDER: Oral argument regarding the pending Motion for Order to Show Cause and Temporary Restraining Order (ECF No. 39) and Cross-Motion to Dismiss (ECF No. 60) is scheduled for Friday, January 26, 2018, at 11:00 a.m. in Courtroom 5W. So Ordered by Judge Michael A. Shipp on 1/17/2018. (gxh) (Entered: 01/17/2018)
01/17/2018	74	MOTION to Seal by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Proposed Findings of Fact and Conclusions of Law, # 2 Declaration of Joel A. Pisano with Ex. 1, # 3 Declaration of Meghan K. McGuire, # 4 Text of Proposed Order, # 5 Statement in Lieu of Brief, # 6 Certificate of Service)(PISANO, JOEL) (Entered: 01/17/2018)
01/17/2018		Set Deadlines as to 74 MOTION to Seal . Motion set for 2/20/2018 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 01/17/2018)
01/22/2018	75	TEXT ORDER: The parties are directed to appear for an in person status conference before the Hon. Tonianne J. Bongiovanni, in Courtroom 6E, on Friday, January 26, 2018 at 9:30 a.m. So Ordered by Magistrate Judge Tonianne J. Bongiovanni on 1/22/2018. (mm) (Entered: 01/22/2018)
01/22/2018	76	Letter from Joel A. Pisano to the Hon. Michael A. Shipp, U.S.D.J. and to the Hon. Tonianne J. Bongiovanni, U.S.M.J. (Filed Under Seal). (PISANO, JOEL) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 01/22/2018)
01/24/2018	77	Letter from Daniel C. Gibbons in Response to Plaintiff's January 22nd Letter re 76 Letter,,. (GIBBONS, DANIEL) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 01/24/2018)
01/26/2018	78	90 DAY ORDER Administratively Terminating Action. Signed by Judge Michael A. Shipp on 1/26/2018. (km) (Entered: 01/26/2018)
01/26/2018		Set Deadlines: Administrative Termination deadline set for 4/26/2018 (km) (Entered: 01/26/2018)
01/26/2018		Text Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Settlement Conference held on 1/26/2018. (mm) (Entered: 01/26/2018)
02/09/2018	79	REDACTION to 76 Letter,, by NEWMARKET PHARMACEUTICALS, LLC. (PISANO, JOEL) (Entered: 02/09/2018)
02/09/2018	80	MOTION to Seal by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Declaration of Joel A. Pisano, # 2 Proposed Findings of Fact and Conclusions of Law, # 3

		Statement in Lieu of Brief, # 4 Text of Proposed Order, # 5 Certificate of Service) (PISANO, JOEL) (Entered: 02/09/2018)
02/09/2018	81	REDACTION to 77 Letter,, by DENNI O. DAY, VETPHARM, INC.. (GIBBONS, DANIEL) (Entered: 02/09/2018)
02/13/2018		Set Deadlines as to 80 MOTION to Seal . Motion set for 3/5/2018 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 02/13/2018)
04/17/2018	82	ORDER granting 80 Motion to Seal. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/17/2018. (km) (Entered: 04/17/2018)
04/26/2018	83	Letter from Joel A. Pisano to the Honorable Michael A. Shipp, U.S.D.J. (PISANO, JOEL) (Entered: 04/26/2018)
04/27/2018	84	LETTER ORDER extending the Administrative Termination deadline to 7/25/2018. Signed by Judge Michael A. Shipp on 4/27/2018. (km) (Entered: 04/27/2018)
06/06/2018	85	TEXT ORDER: Counsel as well as clients with settlement authority are directed to appear for an in person settlement conference before the Hon. Tonianne J. Bongiovanni, in Courtroom 6E, on Thursday, July 12, 2018 at 11:00 a.m. So Ordered by Magistrate Judge tonianne J. Bongiovanni. (mm) (Entered: 06/06/2018)
07/12/2018		Text Minute Entry for proceedings held before Magistrate Judge Tonianne J. Bongiovanni: Settlement Conference held on 7/12/2018. (mm) (Entered: 07/12/2018)
07/12/2018	86	LETTER ORDER Reopening case and reactivating motions, returnable for 8/6/2018. Signed by Magistrate Judge Tonianne J. Bongiovanni on 7/12/2018. (km) (Entered: 07/12/2018)
07/12/2018		Set Deadlines as to 39 MOTION for Order to Show Cause <i>and Temporary Restraining Order</i> and 60 Cross MOTION to Dismiss . Motions set for 8/6/2018 before Judge Michael A. Shipp. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. (km) (Entered: 07/12/2018)
09/07/2018	87	Letter from Joel A. Pisano to the Hon. Michael A. Shipp, U.S.D.J. advising of a recently-filed lawsuit against NewMarket. (Attachments: # 1 Exhibit 2, # 2 Exhibit 3)(PISANO, JOEL) (Entered: 09/07/2018)
09/07/2018	88	Exhibit to 87 Letter by NEWMARKET PHARMACEUTICALS, LLC. (PISANO, JOEL) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 09/07/2018)
09/10/2018	89	REDACTION to 88 Exhibit (to Document),, by NEWMARKET PHARMACEUTICALS, LLC. (PISANO, JOEL) (Entered: 09/10/2018)
09/11/2018	90	Letter from Daniel Gibbons to the Hon. Michael A. Shipp re (87 in 3:17-cv-01852-MAS-TJB) Letter. (GIBBONS, DANIEL) NOTICE TO COUNSEL : Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 09/11/2018)

09/12/2018	91	Letter from Joel A. Pisano to the Honorable Michael A. Shipp, U.S.D.J. re 90 Letter,, (PISANO, JOEL) (Entered: 09/12/2018)
09/24/2018	92	Letter from Daniel C. Gibbons re 90 Letter,, 91 Letter. (GIBBONS, DANIEL) (Entered: 09/24/2018)
09/26/2018	93	MOTION to Seal <i>D.E. 88 and D.E. 90</i> by NEWMARKET PHARMACEUTICALS, LLC. (Attachments: # 1 Declaration of Joel A. Pisano with Exhibit 1, # 2 Proposed Findings of Fact and Conclusions of Law, # 3 Statement in Lieu of Brief, # 4 Text of Proposed Order, # 5 Certificate of Service)(PISANO, JOEL) (Entered: 09/26/2018)
09/26/2018		Set Deadlines as to 93 MOTION to Seal <i>D.E. 88 and D.E. 90</i> . Motion set for 11/5/2018 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 09/26/2018)
10/26/2018	94	NOTICE of Appearance by KELLY JONES HOWELL on behalf of DENNI O. DAY, VETPHARM, INC. (HOWELL, KELLY) (Entered: 10/26/2018)
10/29/2018	95	Letter from Richard A. McGuirk and Meghan K. McGuire withdrawing pro hac vice. (GIBBONS, DANIEL) (Entered: 10/29/2018)
10/29/2018	96	Notice to be terminated and withdraw from Notices of Electronic filing as to case. Attorney DANIEL CASE GIBBONS terminated. (GIBBONS, DANIEL) (Entered: 10/29/2018)
10/30/2018	97	ORDER granting 93 Motion to Seal D.E. 88 and D.E. 90 . Signed by Magistrate Judge Tonianne J. Bongiovanni on 10/30/2018. (km) (Entered: 10/30/2018)
11/05/2018	98	MOTION for Leave to Appear Pro Hac Vice of <i>Douglas A. Foss</i> by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Declaration of Compliance of Kelly Jones Howell, # 2 Declaration of Admission and Good Standing of Douglas A. Foss, # 3 Text of Proposed Order, # 4 Certificate of Service)(HOWELL, KELLY) (Entered: 11/05/2018)
11/05/2018		Set Deadlines as to 98 MOTION for Leave to Appear Pro Hac Vice of <i>Douglas A. Foss</i> . Motion set for 12/3/2018 before Magistrate Judge Tonianne J. Bongiovanni. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (km) (Entered: 11/05/2018)
12/06/2018	99	ORDER granting 98 Motion for Leave to Appear Pro Hac Vice as to Douglas A. Foss. Signed by Magistrate Judge Tonianne J. Bongiovanni on 12/06/2018. (jem) (Entered: 12/07/2018)
12/13/2018	100	MEMORANDUM OPINION filed. Signed by Judge Michael A. Shipp on 12/12/2018. (km) (Entered: 12/13/2018)
12/13/2018	101	ORDER denying 39 Motion for Order to Show Cause and denying 60 Motion to Dismiss without prejudice. Parties shall return to Arbitration by 2/12/2019. The parties shall file a Motion to Seal by 12/26/2018; if parties fail to do so the seal shall be lifted. The stay is reinstated. Signed by Judge Michael A. Shipp on 12/12/2018. (km) (Entered: 12/13/2018)
12/19/2018	102	Notice of Request by Pro Hac Vice Douglas A. Foss to receive Notices of Electronic Filings. (Pro Hac Vice fee \$ 150 receipt number 0312-9255996.) (HOWELL, KELLY) (Entered: 12/19/2018)
12/19/2018		Pro Hac Vice counsel, DOUGLAS A. FOSS, has been added to receive Notices of

		Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (km) (Entered: 12/19/2018)
02/11/2019	103	Letter from Joel A. Pisano to the Hon. Michael A. Shipp, U.S.D.J. re: December 12, 2018 Order re 101 Order on Motion for Order to Show Cause,, Order on Motion to Dismiss,. (Attachments: # 1 Exhibit A-B)(PISANO, JOEL) (Entered: 02/11/2019)
02/12/2019	104	TEXT ORDER: The Court is in receipt of Newmarket's correspondence (ECF No. 103) notifying the Court that Vetpharm did not intend to refile for arbitration, and asking the Court for an emergency clarification as to whether VetPharm would be in breach of the Court's December 12, 2018 Order (ECF No. 101). The Court orders Vetpharm to file a response by February 19, 2019. So Ordered by Judge Michael A. Shipp on 2/12/2019. (gxh) Modified on 2/12/2019 (gxh). (Entered: 02/12/2019)
02/13/2019	105	RESPONSE re 103 Letter. (Attachments: # 1 Exhibit A - 2018.12.06 Letter from NewMarket's counsel, # 2 Exhibit B - 2018.12.08 Letter from VetPharm's counsel, # 3 Exhibit C - 2019.02.12 NewMarket's Demand for arbitration)(HOWELL, KELLY) (Entered: 02/13/2019)
02/19/2019	106	TEXT ORDER: The Court is receipt of the parties' correspondence (ECF Nos. 103 , 105) regarding the Court's December 12, 2018 Order requiring the parties to submit to arbitration by February 12, 2019 (ECF No. 101). The Court reserves in all respects pending the AAA's decision as to whether it will grant NewMarket a hardship exemption. So Ordered by Judge Michael A. Shipp on 2/19/2019. (gxh) (Entered: 02/19/2019)
02/27/2019	107	Letter from Joel A. Pisano to the Hon. Michael A. Shipp, U.S.D.J. re 106 Order,. (PISANO, JOEL) (Entered: 02/27/2019)
02/28/2019	108	RESPONSE re 107 Letter. (Attachments: # 1 Exhibit A - Email Correspondence) (HOWELL, KELLY) (Entered: 02/28/2019)
03/06/2019	109	TEXT ORDER: The Court is in receipt of the parties' February 27, 2019 and February 28, 2019 correspondence. (ECF Nos. 107 , 108 .) The Court agrees with VetPharm that "[u]nless and until AAA dismisses the arbitration, further proceedings in this Court are unwarranted." (ECF No. 108 .) The matter, therefore, remains stayed pending arbitration, and the Court denies NewMarket's request for a telephone status conference before Judge Bongiovanni. So Ordered by Judge Michael A. Shipp on 3/6/2019. (gxh) (Entered: 03/06/2019)
04/11/2019	110	Letter from Joel A. Pisano to the Hon. Michael A. Shipp, U.S.D.J. in response to the Court's March 6, 2019 Text Order re 109 Order,,. (PISANO, JOEL) (Entered: 04/11/2019)
04/12/2019	111	Letter from Kelly Jones Howell re 110 Letter. (HOWELL, KELLY) (Entered: 04/12/2019)
04/12/2019	112	CONSENT ORDER granting admission pro hac vice as to Kyle D. Gooch, Esq. Signed by Magistrate Judge Tonianne J. Bongiovanni on 4/12/2019. (mmh) (Entered: 04/12/2019)
04/12/2019	113	MOTION for Temporary Restraining Order , MOTION for Order to Show Cause by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Declaration of Kelly Jones Howell, # 2 Exhibit 1 to Declaration of Kelly Jones Howell - Verified Petition for Damages, # 3 Exhibit 2 to Declaration of Kelly Jones Howell - 3rd Party Complaint against VetPharm, Inc., # 4 Exhibit 3 to Declaration of Kelly Jones Howell - 4/4/2019 Letter to R. Pollaro, # 5 Declaration of Denni O. Day, # 6 Exhibit A to Declaration of

		Denni O. Day, # 7 Exhibit B to Declaration of Denni O. Day, # 8 Brief in Support of Motion to Enjoin, # 9 Certificate of Service)(HOWELL, KELLY) (Entered: 04/12/2019)
04/12/2019	114	Exhibit to 113 Motion for TRO,,, Motion for Order to Show Cause,, by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Brief in Support of Motion to Enjoin, # 2 Exhibit A to Declaration of Denni O. Day)(HOWELL, KELLY) <u>NOTICE TO COUNSEL:</u> Counsel is advised that pursuant to Local Civil Rule 5.3(c)(2), a single, consolidated motion to seal shall be filed within 14 days following the completed briefing of the materials sought to be sealed, or within 14 days following the date on which the last of such materials was filed under temporary seal if the motion is resolved, unless otherwise directed by the Court. (Entered: 04/12/2019)
04/15/2019	115	Notice of Request by Pro Hac Vice Kyle D. Gooch to receive Notices of Electronic Filings. (HOWELL, KELLY) (Entered: 04/15/2019)
04/15/2019	116	REDACTION to 114 Exhibit (to Document),, 113 MOTION for Temporary Restraining Order MOTION for Order to Show Cause by DENNI O. DAY, VETPHARM, INC.. (Attachments: # 1 Brief in Support, # 2 Exhibit A to Declaration of Denni O. Day) (HOWELL, KELLY) (Entered: 04/15/2019)
04/15/2019	117	MEMORANDUM ORDER denying 113 VetPharm's Application for a Temporary Restraining Order and an Order to Show Cause Why a Preliminary Injunction Should Not be Issued; that, by April 29, 2019, the parties must file a motion to seal, otherwise the Court will issue an order unsealing this Memorandum Order. Signed by Judge Michael A. Shipp on 4/15/2019. (gxx) (Entered: 04/15/2019)
04/16/2019		Pro Hac Vice counsel, KYLE D. GOOCH, has been added to receive Notices of Electronic Filing. Pursuant to L.Civ.R. 101.1, only local counsel are entitled to sign and file papers, enter appearances and receive payments on judgments, decrees or orders. (jem) (Entered: 04/16/2019)
04/24/2019		Pro Hac Vice fee of \$150 received as to Kyle D. Gooch, Esq., receipt number TRE101776. (jem) (Entered: 04/24/2019)

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04/29/2019 09:47:09			
PACER Login:	kgooch01:4600776:3955021	Client Code:	298883
Description:	Docket Report	Search Criteria:	3:17-cv-01852-MAS-TJB Start date: 1/1/1970 End date: 4/29/2019
Billable Pages:	14	Cost:	1.40